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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

	TO 01 NOV 2004 ATENT COOPERATE		10/510962 PCT/EP2003/0047		
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INTERNATI	ONAL PRELIMINARY	EXAMINATIO	N REPORT		
	(PCT Article 36 and	Rule 70)			
Applicant's or agent's file reference 0000053539	FOR FURTHER ACTION	Preliminary Exami	of Transmittal of International nation Report (Form PCT/IPEA/416)		
International application No. PCT/EP2003/004798	International filing date (day/n 08 May 2003 (08.05		rity date (day/month/year) 14 May 2002 (14.05.2002)		
International Patent Classification (IPC) or a C09C 1/00	national classification and IPC				
Applicant	BASF AKTIENGESEL	LSCHAFT			
2. This REPORT consists of a total of					
Date of submission of the demand	Da	e of completion of the	nis report		
17 September 2003 (1	17.09.2003)	29 Octo	ober 2004 (29.10.2004)		
Name and mailing address of the IPEA	/EP Au	thorized officer			
Facsimile No.	Te	lephone No.			



International application No.
PCT/EP2003/004798

L. Basis of the report							
1. With regard to the elements of the international application:*							
] th	he international application as originally filed					
\triangleright	th	the description:					
	pa	ages	1-14 , as originally filed				
	pa	ages	, filed with the demand				
	pa	ages .	, filed with the letter of				
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2_	_3	ages	, as originally filed				
i	p	ages	, as amended (together with any statement under Article 19				
	p	ages	, filed with the demand				
	p	ages	1-10 , filed with the letter of 25 May 2004 (25.05.2004)				
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3.	With	the lar the lar the lar the lar or 55 regard inary of contain filed to furnis furnis The sintern The sintern	It to any nucleotide and/or amino acid sequence disclosed in the international application, the international examination was carried out on the basis of the sequence listing: ined in the international application in written form. Rogether with the international application in computer readable form. Since subsequently to this Authority in written form. Since subsequently to this Authority in computer readable form. Statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the national application as filed has been furnished. Statement that the information recorded in computer readable form is identical to the written sequence listing has furnished.				
4.		The a	the claims, Nos the drawings, sheets/fig				
5.			report has been established as if (some of) the amendments had not been made, since they have been considered to go and the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**				
*	* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).						
**	Any ro	eplace	ment sheet containing such amendments must be referred to under item 1 and annexed to this report.				

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Internal al application No.
PCT/EP 03/04798

NO

v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement						
1.	Statement						
	Novelty (N)	Claims	1-10	YES			
		Claims		NO			
	Inventive step (IS)	Claims	1-10	YES			
		Claims		NO			
	Industrial applicability (IA)	Claims	1-10	YES			

2. Citations and explanations

This report makes reference to the following documents:

Claims

D1: US5234496 A D2: WO9838253 A

Novelty:

3. Document D1 discloses (the references in parentheses are to that document) goniochromatic pearlescent pigments coated with alkylglycol ethers (column 2, lines 9-56; example 1).

The subject matter of claim 1 therefore differs from the known pigment (translucent pearlescent pigments) in that it relates to a goniochromatic pigment (containing reflecting layers) and in that the polar organic solvent is dispersed into the pigment.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

4. Document D2 discloses (the references in parentheses relate to that document) pigment preparations in which pearlescent pigments, inter alia, are also

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mixed with an organic solvent and homogenised at 80°C to 150°C (see page 8, lines 12-25; page 3, lines 1-14). Polar solvents such as ethylene glycols come into question as solvents (see page 6, line 29 to page 7, line 11). However, these are conventional pearlescent pigments. D2 also discloses the use of metallic effect pigments comprising aluminium flakes coated with a metal oxide.

The subject matter of claim 1 therefore differs from the pigments known from D2 in that goniochromatic pigments with at least one dielectric, lowrefraction layer are used and in that the polar organic solvent is dispersed into the pigment.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

- Document D2, which is considered to represent the closest prior art, discloses pigment preparations (see paragraph 4) from which the subject matter of claim 1 differs in that goniochromatic pigments are used having at least one dielectric, low-refraction layer, and in which a polar organic solvent is dispersed.
- 5.2 In view of the differentiating feature, the problem addressed can be considered to be that of providing goniochromatic pearlescent pigments whose colouring undergoes little change and stabilises faster when used in baking enamels.
- 5.3 The dispersion of the organic polar solvent expels the water contained in the low-refraction layer and at the same time largely prevents water from being

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re-absorbed. The presence of water in pigments causes the colour of baking enamels to stabilise once the baking enamel loses water after baking (at about 130°C), only after hours or days, by reabsorption of water from the environment.

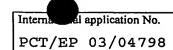
D1 and D2 fail to address this problem. D1 addressed the problem of providing a pearlescent pigment preparation that can be easily incorporated into coating formulations (see D1, column 1, lines 41-44).

D2 addressed the problem of providing stable, nondusting, homogeneous pearlescent pigment preparations which can also be advantageously used in aqueous coating systems and at the same time are characterised by high compatibility with the remaining components of such coating systems.

Both in D1 and D2, the pearlescent pigment is reacted with the organic solvent at room temperature, and it must therefore be assumed that the organic, polar solvent in question is not dispersed (see the examples in documents D1 and D2).

- 5.4 The solution to this problem, as proposed in claim 1 of the present application, therefore involves an inventive step (PCT Article 33(3)).
- 5.5 Claims 2-6, 9 and 10 are dependent on claim 1 and therefore likewise meet the PCT inventive step requirements.
- 6. The subject matter of claim 7 represents a method which necessarily leads to the product of claim 1.





The subject matter of claim 7 therefore also meets the PCT novelty and inventive step requirements.

6.1 Claim 8 is dependent on claim 7 and therefore likewise meets the PCT inventive step requirements.